

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Ron Carpenter,)	
)	
Plaintiff,)	ORDER SCHEDULING
)	MOTION HEARING
vs.)	
)	
Last Chance Saloon, Inc., a corporation)	
doing business in North Dakota; and)	
Joshua Luger,)	Case No. 1:12-cv-127
)	
Defendants.)	

On September 5, 2013, Plaintiff filed a “Motion to Amend Scheduling/Discovery Plan” and a “Motion for Contempt.” (Docket Nos. 20-21). Plaintiff asserts that defendant Joshua Luger has failed to make Rule 26(a)(1) disclosures, which were due by April 1, 2013 under the current Scheduling Order. Plaintiff requests the court to compel defendant to make the required disclosures and to amend the Scheduling Order as necessary due to the delay.

The court will hold a hearing on **November 5, 2013 at 3:00 p.m.** in Bismarck Courtroom 2 before Magistrate Judge Miller to address what sanctions should be imposed pursuant to Federal Rule of Civil Procedure 37 for failure to provide required Rule 26(a) disclosures. Also, the court will discuss revised scheduling.

Attorneys Ross Espeseth and William Delmore shall appear personally at the hearing. Attorney Mark Larson may appear in person or by telephone.

IT IS SO ORDERED.

Dated this 24th day of September, 2013.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court